

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BOBBY EUGENE LUCKY,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-15-1033-M
)	
TRACY MCCULLUM, Warden,)	
)	
Respondent.)	


ORDER

On September 22, 2015, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254. The Magistrate Judge recommended that petitioner's Application to Proceed in District Court Without Repaying Fees and Costs [docket no. 2] be denied and that petitioner be ordered to prepay the full \$5.00 filing fee for this action to proceed. Petitioner was advised of his right to object by October 9, 2015. On October 2, 2015, petitioner paid the \$5.00 filing fee.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 5] issued by the Magistrate Judge on September 22, 2015;
- (2) DENIES plaintiff's Application to Proceed in District Court Without Repaying Fees and Costs [docket no. 2]; and
- (3) RECOMMITS this action to the Magistrate Judge for further proceedings.

IT IS SO ORDERED this 30th day of October, 2015.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE